

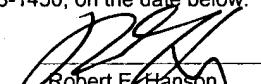


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August 20, 2004

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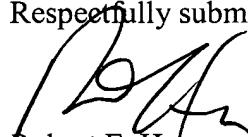
RE: *U.S. Patent Application No. 10/820,219 entitled "PLANTS AND SEEDS OF CORN VARIETY I060062" – David W. Peters*
Our reference: DEKA:345US
Client reference: 34-63(52070)

Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement, Form PTO-1449, and references A1-A8 and C1-C12.

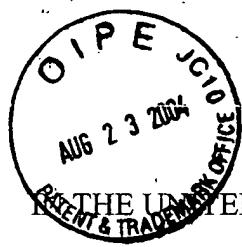
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Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

Robert E. Hanson
Reg. No. 42,628

REH/mar
Encl.: as noted

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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David W. Peters

Serial No.: 10/820,219

Filed: April 6, 2004

For: PLANTS AND SEEDS OF CORN
VARIETY I060062

Group Art Unit: 1638

Examiner: Unknown

Atty. Dkt. No.: DEKA:345US

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August 20, 2004

Date

Robert E. Hanson

INFORMATION DISCLOSURE STATEMENT

MS AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/DEKA:345US.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,



Robert E. Hanson
Reg. No. 42,628
Attorney for Applicant

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600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: August 20, 2004

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| Form PTO-1449 (modified) | Atty. Docket No. DEKA:345US | Serial No. 10/820,219 |
| List of Patents and Publications for Applicant <small>INFORMATION DISCLOSURE STATEMENT</small> <small>(Use several sheets if necessary)</small> | | |
| Applicant David W. Peters | | |
| Filing Date: April 6, 2004 Group: 1638 | | |
| U.S. Patent Documents <i>See Page 1</i> | Foreign Patent Documents <i>See Page 1</i> | Other Art <i>See Page 1</i> |

U.S. Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Name | Class | Sub Class | Filing Date of App. |
|-------------|-----------|-----------------|----------|--------------------------|-------|-----------|---------------------|
| | A1 | 4,517,763 | 06-21-85 | Beversdorf <i>et al.</i> | 47 | 58 | 05-11-83 |
| | A2 | 4,658,084 | 04-14-87 | Beversdorf <i>et al.</i> | 800 | 1 | 11-14-85 |
| | A3 | 4,658,085 | 04-14-87 | Beversdorf <i>et al.</i> | 800 | 1 | 04-14-87 |
| | A4 | 4,677,246 | 06-30-87 | Armond <i>et al.</i> | 800 | 1 | 04-26-85 |
| | A5 | 4,731,499 | 04-15-88 | Puskaric <i>et al.</i> | 800 | 1 | 01-29-87 |
| | A6 | 5,276,263 | 01-04-94 | Foley | 800 | 200 | 12-06-91 |
| | A7 | 6,121,519 | 09-19-00 | Garing | 800 | 320.1 | 02-05-97 |
| | A8 | 6,252,146 | 06-26-01 | Garing | 800 | 320.1 | 01-30-98 |

Foreign Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Country | Class | Sub Class | Translation Yes/No |
|-------------|-----------|-----------------|------|---------|-------|-----------|--------------------|
| | | | | | | | |

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

| Exam. Init. | Ref. Des. | Citation |
|-------------|-----------|---|
| | C1 | Armstrong & Green, "Establishment and Maintenance of Friable Embryogenic Maize Callus and the Involvement of L-Proline," <i>Planta</i> , 164:207-214, 1985. |
| | C2 | Duvick, "Genetic Contributions to Yield Gains of U.S. Hybrid Maize, 1930 to 1980," <i>Genetic Contributions to Yield Gains of Five Major Crop Plants</i> : Proceedings of a Symposium sponsored by Div. C-1, Crop Science Society of America, December 2, 1981 in Atlanta, Georgia; W.R. Fehr, Crop Science Society of America and American Society of Agronomy, Madison, Wisconsin, pp. 15-47. |
| | C3 | Fehr (ed.), <i>Principles of Cultivar Development, Vol. 1: Theory and Technique</i> , pp. 360-376, 1987. |

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| EXAMINER: | DATE CONSIDERED: |
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EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

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|---|--|--------------------------------|---------------------------------------|
| Form PTO-1449 (modified) | | Atty. Docket No. DEKA:345US | Serial No. 10/820,219 |
| List of Patents and Publications for Applicant's | | Applicant David W. Peters | |
| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | Filing Date: April 6, 2004 | Group: 1638 |
| U.S. Patent Documents <i>See Page 1</i> | Foreign Patent Documents <i>See Page 1</i> | | Other Art <i>See Page 1</i> |

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

| Exam. Init. | Ref. Des. | Citation |
|-------------|-----------|--|
| | C4 | Hallauer <i>et al.</i> , "Corn Breeding," <i>Corn and Corn Improvement</i> , eds., Sprague <i>et al.</i> , Madison, Wisconsin, Ch. 8, pp. 463-564, 1988. |
| | C5 | Larson & Hanway, "Corn Production," <i>Corn and Corn Improvement</i> , ed. G.F. Sprague, No. 18 in Agronomy Series, American Society of Agronomy, Inc., Madison, Wisconsin, pp. 625-669, 1977. |
| | C6 | Meghji <i>et al.</i> , "Inbreeding depression, inbred and hybrid grain yields, and other traits of maize genotypes representing three eras," <i>Crop Science</i> , 24:545-549, 1984. |
| | C7 | Poehlman & Sleper (eds), <i>Breeding Field Crops</i> , 4th Ed., pp. 172-175, 1995. |
| | C8 | Poehlman, <i>Breeding Field Crops</i> , 3rd ed., AVI Publishing Company, Westport, Connecticut, pp. 469-481, 1987. |
| | C9 | Rieger <i>et al.</i> , <i>Glossary of Genetics and Cytogenetics, Classical and Molecular</i> , Springer-Verlag, Berlin, p. 116, 1976. |
| | C10 | Sprague & Eberhart, "Corn Breeding," <i>Corn and Corn Improvements</i> , ed. G.F. Sprague, No. 18 in Agronomy Series, American Society of Agronomy, Inc., Madison, Wisconsin, pp. 305-323, 1977. |
| | C11 | Troyer, "A retrospective view of corn genetic resources," <i>Journal of Heredity</i> , 81:17-24, 1990. |
| | C12 | Wych, "Production of hybrid seed corn," <i>Corn and Corn Improvement</i> , eds., Sprague <i>et al.</i> , editors, Madison, Wisconsin, Ch. 9, pp. 565-607, 1988. |

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